

DELEGATED REPORT

Report by Charlotte Orrell	Date of report: 27/05/2026	Ref: 73129/GPDE
Registration: 24/04/2026	LDfC: 22/05/2026	Expiry Date: 05/06/2026
Site Visit: 01/05/2026	Site Notice: N/A	Press Date: N/A
Objections: 3	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Prior approval for proposed enlargement of a dwellinghouse by construction of one additional storey

Location: 2 Oakfield, Prestwich, Manchester, M25 0DP

Description

The application relates to a single storey brick detached dwellinghouse on Oakfield.

The proposal is to add an additional floor on top of the dwellinghouse. The proposed extension would mirror the original footprint of the dwelling. The new window openings are aligned to match the existing window openings of the property.

The application has been submitted for prior approval under Part 1, Class AA.

Relevant Planning History

02808/E - Demolition of existing bungalow and construction of 1no. detached house and 2no. semi-detached houses - Enquiry completed 27/01/2023

70324 - Demolition of existing side extension; Roof extension/alterations to existing bungalow to form 2 no. two storey dwellings - Withdrawn - Invalid 29/02/2024

70905 - EXTENSIONS, DEMOLITIONS AND ALTERATIONS TO EXISTING DWELLING HOUSE TO FORM 2 No. NEW DWELLINGS OVER 2 STOREYS - Withdrawn - Invalid 13/02/2025

71883 - Redevelopment of existing single storey bungalow to create 2 no. two storey dwellings. - Withdrawn - Invalid 27/02/2026

Publicity

16 neighbouring properties were consulted on 29.04.2026. 3 objections have been received detailing the below concerns:

- impact on light to rear garden
- there is already a lot of building works in the area causing dust. Will the applicants pay for the cleaning of the dust in gardens and driveways
- lack of sunlight into neighbouring rooms
- impact on privacy
- impact on neighbouring property price
- the main flat impacted is empty and so they cannot object
- impact on wind caused by the developments in the area
- impact on traffic

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Development Plan and Policies

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

The proposed is not considered to comply with Class AA of The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020 as does not comply with the criteria highlighted in bold below:

AA.1. Development is not permitted by Class AA if—

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, O, P, PA or Q of Part 3 of this Schedule (changes of use);

(b) the dwellinghouse is located on—

(i) article 2(3) land; or

(ii) a site of special scientific interest;

(c) the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;

(d) the existing dwellinghouse has been enlarged by the addition of one or more storeys above the original dwellinghouse, whether in reliance on the permission granted by Class AA or otherwise;

(e) following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres;

(f) following the development the height of the highest part of the roof of the dwellinghouse would exceed the height of the highest part of the roof of the existing dwellinghouse by more than—

(i) 3.5 metres, where the existing dwellinghouse consists of one storey;

The existing dwelling is a maximum height of 4.4m. The enlarged dwelling will have a maximum height of approximately 8.1m. This is an enlargement of 3.7m.

(ii) 7 metres, where the existing dwellinghouse consists of more than one storey;

(g) the dwellinghouse is not detached and following the development the height of the highest part of its roof would exceed by more than 3.5 metres—

(i) in the case of a semi-detached house, the height of the highest part of the roof of the building with which it shares a party wall (or, as the case may be, which has a main wall adjoining its main wall); or

(ii) in the case of a terrace house, the height of the highest part of the roof of every other building in the row in which it is situated;

(h) the floor to ceiling height of any additional storey, measured internally, would exceed the lower of—

(i) 3 metres; or

(ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse;

(i) any additional storey is constructed other than on the principal part of the dwellinghouse;

(j) the development would include the provision of visible support structures on or attached to the exterior of the dwellinghouse upon completion of the development; or

(k) the development would include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations.

The LPA must also make a determination as to:

(i) impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light;

(ii) the external appearance of the dwellinghouse, including the design and architectural features of—

(aa) the principal elevation of the dwellinghouse, and

(bb) any side elevation of the dwellinghouse that fronts a highway;

(iii) air traffic and defence asset impacts of the development; and

(iv) whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012(3) issued by the Secretary of State;

Impact on amenity of neighbouring residents

SPD 6 and Policy H2/3 of the UDP provide guidance on assessing the impact on amenity of developments on neighbouring properties.

Existing neighbours to the south would be sited approximately 20m from the proposed, considered compliant with guidance contained within SPD 6.

Existing neighbours to the east would be sited approximately 20m from the proposed, considered compliant with guidance contained within SPD 6.

Existing neighbours to the west would be sited approximately 21m from the proposed, considered compliant with guidance contained within SPD 6.

Existing neighbours to the north are sited approximately 3m off the party boundary with the application property. No further habitable windows are proposed to face this neighbour and so no further privacy impacts would be caused. In terms of overshadowing, the proposed would be sited to the south, however would be sited away from the rear amenity space of this property and therefore would likely not overshadow the entire rear amenity space of this property. Given this, it would be considered acceptable.

External Appearance

SPD 6 and Policy H2/3 of the UDP seek to achieve a high standard of design that compliments the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

The proposed would use brick to match that of the existing property. Given the mixed use of materials in the area, this would not appear out of character.

Window designs proposed are to be consistent to the existing dwelling.

Air Traffic and Defense Assets

There are no impacts on air traffic and defence asset impacts of the development.

Impact on a protected view -

There would be no impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012 issued by the Secretary of State.

Response to Objections:

Amount of building works in the area, impact on neighbouring property price and empty dwellings not being able to object are not material planning considerations.

DELEGATED REPORT

For this type of application, traffic impacts are not taken into consideration.

All other comments have been addressed within the body of the report.

Recommendation: Prior Approval Required and Refused

Conditions and Reasons:

- 1 The proposed development fails to meet the requirements of condition AA.1 (f) (i) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as the development as enlarged would lead to an additional storey larger than 3.5m.

<u>Case Officer</u> CO	<u>Date</u> 27.05.2026	<u>Sign off Officer</u> DM	<u>Date</u> 28.05.2026
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